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Infinity Broadcasting Corporation of Washington, D.C. n/k/a
CBS Radio Inc. of Washington, D.C.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
SAMUEL L. JONES JR.,	:
	:
Plaintiff,	: No. 07 Civ. 5693 (BSJ) (AJP)
	:
-against-	:
	:
INFINITY BROADCASTING CORPORATION OF	: DECLARATION OF
WASHINGTON, D.C. n/k/a CBS RADIO INC. OF	: CHRISTOPHER PAUL
WASHINGTON, D.C.,	: <u>McMILLIAN</u>
	:
Defendant.	:
	:
-----X	
INFINITY BROADCASTING CORPORATION OF	:
WASHINGTON, D.C. n/k/a CBS RADIO INC. OF	:
WASHINGTON, D.C.,	:
	:
Counterclaimant and Third-Party Plaintiff,	:
	:
-against-	:
	:
SAMUEL L. JONES JR.,	:
	:
Counterclaim Defendant, and	:
	:
RADIO ONE, INC.,	:
	:
Third-Party Defendant.	X

Christopher Paul McMillian declares:

1. I am employed by CBS Radio Inc. ("CBS Radio"). I make this declaration on personal knowledge.

2. Since approximately 1992 I have worked for CBS Radio station WPGC-FM ("WPGC") in the Washington, D.C. area. Throughout that time, using the name Chris Paul, I have been the on-air sidekick to Donnie Simpson, host of the Donnie Simpson Morning Show on weekdays from 6:00 a.m. to 10:00 a.m. I also write for the show. As a writer, one of my responsibilities has been to create comic characters who then appear regularly on the show. For example, I created a comic radical named "Melvin Mohammed" and a parody rhythm and blues singing group called "Fournicate."

3. In the fall of 1999, I created the "HUGGY LOWDOWN" character that is at issue in this lawsuit. At the time, we were looking to fill the role of a gossip and entertainment news reporter for the Donnie Simpson Morning Show. Actual reporters had not worked well for us in that role. So I thought we should try a fictional character. I then came up with the concept for HUGGY LOWDOWN, an irreverent "street" character who would phone in gossip and entertainment reports and banter with the studio team. I named the character by combining "Huggy" (the name of a character from the old television show "Starsky & Hutch" who was an informer) with the word "lowdown" because the character was supposed to provide the "lowdown" on celebrity news.

4. I brought this idea to Donnie Simpson and to the producer, Reggie Rouse. I suggested that we use Samuel Jones, a local comedian I knew (and the plaintiff in this

case), to play the part of HUGGY LOWDOWN. Donnie Simpson and Reggie Rouse agreed to try this.

5. The HUGGY LOWDOWN character became a regular feature of the Donnie Simpson Morning Show from approximately 2000 to June 2007. Throughout that time I wrote the material for the HUGGY LOWDOWN character, and I talked regularly with Samuel Jones about how the character should be played. Over the time that the HUGGY LOWDOWN character appeared on WPGC, the overwhelming majority of the material that Mr. Jones performed on air was material that I wrote. Samuel Jones made creative contributions to the character over the years, but to this day the HUGGY LOWDOWN character featured on WPGC – and now on WMMJ – fundamentally is the same character that I originally created.

6. The HUGGY LOWDOWN character did not exist before I invented him for the Donnie Simpson Morning Show. Eventually Samuel Jones began to do live comic standup appearances as the character HUGGY LOWDOWN. This did not happen until after the HUGGY LOWDOWN character was established on the Donnie Simpson Morning Show.

7. From time to time over the years, I talked with Mr. Jones about his business arrangement with CBS Radio. Mr. Jones never said to me that his original agreement with CBS Radio had lapsed or that CBS Radio had been late with a renewal notice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Ashburn, Virginia this 20th day of July 2007.



Christopher Paul McMillian